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NOTES OF CASES.

ALIMONY—REMARRIAGE OF WIFE.—The remarriage of a divorced woman to one whose ability to support her is unquestionable, is held, in *Wetmore v. Wetmore* (N. Y.), 48 L. R. A. 666, to preclude the further application to her benefit, as alimony of the income of property held in trust for the support of her former husband.

CONVERSION—SALE OF PROPERTY BELONGING TO ANOTHER—SELLER NOT IN POSSESSION.—A purchaser of property in good faith from one who holds it under an agreement by which a third person has retained the title thereto is held, in *Wood v. Nichols* (R. I.), 48 L. R. A. 773, to be liable for conversion, if he sells the property again, although he is not in possession of the property.

MUNICIPAL CORPORATIONS—DEFECTIVE BRIDGE—PROXIMATE CAUSE.—The lack of barriers on the side of approaches to a bridge is held, in *Bell v. Wayne* (Wash.), 48 L. R. A. 644, not sufficient to make a municipality liable for injuries in case a team goes off the bank, when the roadway was wide enough for two teams to pass without difficulty and the fright of a horse was the proximate cause of the accident.

WILLS—SUBSCRIPTION “AT END.”—A will which consists of four pages in one sheet folded lengthwise down the middle is held, in *Re Andrews* (N. Y.), 48 L. R. A. 662, not to be subscribed at the end, as required by statute, where the signature is on the second page after a portion of the will, while there is another portion on the third page without anything to connect it with that part which is above the signature.

MASTER AND SERVANT—PERSONAL INJURIES—COMMAND OF MASTER.—Whether or not an employee acts properly in obeying an order of a foreman to take bottles to an upper floor by the use of an elevator is held, in *Dallemand v. Saalfeldt* (Ill.), 48 L. R. A. 753, to be a question for the jury. A note to this case presents the authorities on a servant's right of action for injuries received in obeying a direct command.

INJUNCTION AGAINST PASSAGE OF MUNICIPAL ORDINANCE.—An injunction against the passage of an ordinance within the general power of the municipality, creating a contract between a city and a street railway company, is held, in *State v. Superior Court* (Wis.), 48 L. R. A. 819, to be void for want of jurisdiction, whether the ordinance is authorized by law or not, since its passage is a legislative act which the court has no power to supervise.

CONSTITUTIONAL LAW—ANTI-LYNCHING LEGISLATION.—A statute requiring a county to pay a penalty of \$5,000 for the death of any person caused by lynching is held constitutional in *Champaign County v. Church* (Ohio), 48 L. R.

A. 738, against the contentions that it violates the right of a trial by jury, takes property without due process of law, exercises judicial functions by the legislature, and imposes taxes for unconstitutional purposes.

CONFLICT OF LAWS—STATUTE OF LIMITATIONS.—A special statute of limitations applicable to liabilities arising under statutes, acts of incorporation, or by operation of law, is held, in *Brunswick Terminal Co. v. National Bank* (C. C. A. 4th C.), 48 L. R. A. 625, to constitute a part of a subsequent act of incorporation, and therefore to be controlling in another state in an action to enforce stockholder's liability. This case has a note on the question when the statute of limitations will govern an action in another state or country. See Va. Code, sec. 2933.

INJUNCTIONS—CONTRACTS—ILLEGALITY OF CONSIDERATION—IN PARI DELICTO.—The rule denying a remedy to a person *in pari delicto* is held, in *Basket v. Moss* (N. C.), 48 L. R. A. 842, not to prevent equitable relief against the enforcement of a power of sale in a mortgage which is against public policy because given to influence or procure appointment to a public office. With this case is a note reviewing the numerous decisions on the right to an injunction in favor of a party *in pari delicto* against enforcing or otherwise proceeding with an illegal contract.

CONSTITUTIONAL LAW—“TRADING STAMPS.”—A statute which prohibits a person who sells an article from giving to the purchaser as part of the same transaction a stamp, coupon, or other device entitling them to receive some well-defined article from a third person, is held, in *State v. Dalton* (R. I.), 48 L. R. A. 775, to be an unwarrantable interference with the individual liberty guaranteed by the Constitution.

A similar statute exists in Virginia (Acts 1897-8, p. 443), and will doubtless share the same fate when tested before the courts.

ADVERSE POSSESSION—CONTINUITY—TACKING—PAROL TRANSFER FROM ONE DISSEISOR TO ANOTHER.—The parol transfer by the first to the second possessor of property held adversely, with succession of occupancy, is held, in *Illinois Steel Co. v. Budziss* (Wis.), 48 L. R. A. 830, 81 N. W. 1027, 82 N. W. 534, to be sufficient to unite the two possessions into one for the purpose of acquiring title by adverse possession.

The rule here established, that the necessary privity for tacking the several successive possessions of adverse holders, may be established by a parol agreement or transfer, and that no deed or other writing is essential to put the successor into the shoes of the original adverse claimants, seems to be well established. This rests upon the idea that no title to real estate is transferred by such an assignment, but a mere right—a personal privilege to the assignee to occupy the position of adverse claimant held by his assignor. See *Kepley v. Scully* (Ill.), 57 N. E. 187; 1 Am. & Eng. Enc. Law (2d ed.) 845.

MUNICIPAL CORPORATIONS—RIPARIAN RIGHTS—DISPOSAL OF SEWAGE.—The right of a city to discharge sewers into a river to the damage of riparian proprietors is denied in *Platt Bros. v. Waterbury* (Conn.), 48 L. R. A. 691, holding that